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Applicant: ~~SECRET~~ Michael J. O'Phelan et al.

Title: IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES

Docket No.: 279.171US3

Serial No.: 10/729,424

Filed: December 5, 2003

Due Date: N/A

Examiner: Eric Thomas

Group Art Unit: 2831

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- X A return postcard.
- X A Communication Concerning Related Applications (2 pgs.).
- X An Information Disclosure Statement (2 pgs.), Form 1449 (6 pgs.), and copies of 15 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: Eduardo E. Drake
Atty: Eduardo E. Drake
Reg. No. 40,594

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8 day of June, 2004.

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)

S/N 10/729,424



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Michael J. O'Phelan et al.	Examiner:	Eric Thomas
Serial No.:	10/729,424	Group Art Unit:	2831
Filed:	December 05, 2003	Docket:	279.171US3
Title:	IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES		

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

Pursuant to 37 C.F.R. §1.98(d), copies of the listed documents are not provided as these references were previously cited by or submitted to the U.S. Patent Office in connection with Applicants' prior U.S. application, Serial No. 10/287,285, filed on November 04, 2002, which is relied upon for an earlier filing date under 35 U.S.C. §120.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/729,424

Filing Date: December 05, 2003

Title: IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES

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Dkt: 279.171US3

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
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Date

8 June 2004

By

Eduardo E. Drake
Reg. No. 40,594

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Name

Annella M. Luster

Signature

Annella M. Luster

S/N 10/729,424



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Michael J. O'Phelan et al.	Examiner:	Eric Thomas
Serial No.:	10/729,424	Group Art Unit:	2831
Filed:	December 5, 2003	Docket:	279.171US3
Title:	IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES		

COMMUNICATION CONCERNING RELATED APPLICATION(S)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related application(s) in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/706,517	November 3, 2000	279.235US1	FLAT CAPACITOR HAVING AN ACTIVE CASE
09/706,576	November 3, 2000	279.268US1	CONFIGURATIONS AND METHODS FOR MAKING CAPACITOR CONNECTIONS
09/706,579	November 3, 2000	279.271US1	CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER
10/360,551	February 7, 2003	279.378US1	BATTERIES INCLUDING FLAT PLATE DESIGN
10/758,677	January 15, 2004	279.234US3	FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE
10/728,655	December 5, 2003	279.168US2	FLAT CAPACITOR HAVING STAKED FOILS AND EDGE-CONNECTED CONNECTION MEMBERS

COMMUNICATION CONCERNING RELATED APPLICATIONS

Serial Number: 10/729,424

Filing Date: December 5, 2003

Title: IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES

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10/736,209	December 15, 2003	279.088US2	IMPLANTABLE HEART MONITORS HAVING CAPACITORS WITH ENDCAP HEADERS
10/758,701	January 15, 2004	279.234US4	FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9593

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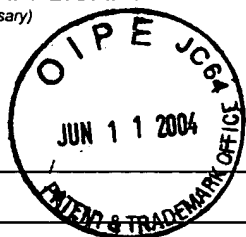
Patricia M. Lucke
Name

Patricia M. Lucke
Signature

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/729,424
Filing Date	December 5, 2003
First Named Inventor	O'Phelan, Michael
Group Art Unit	2831
Examiner Name	Thomas, Eric

Sheet 1 of 6

Attorney Docket No: 279.171US3

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	1,931,043	10/17/1933	Taylor, F. W.			03/05/1932
	2003/0077509	04/24/2003	Probst, Joseph M., et al.	426	162	10/16/2002
	20030/195568	10/16/2003	O'Phelan, Michael J., et al.	607	5	04/17/2003
	US-3,182,238	05/04/1965	Toder, E. H., et al.	317	260	02/05/1962
	US-3,643,168	02/15/1972	Manicki, Gert L.	325	459	07/07/1969
	US-3,723,926	03/27/1973	Thomas, Alan, et al.	335	268	03/22/1972
	US-3,742,938	07/03/1973	Stern, T. J.	128	2.05T	01/04/1971
	US-3,777,570	12/11/1973	Thomas, Alan, et al.	73	398	03/22/1972
	US-3,826,143	07/30/1974	Thomas, Alan, et al.	73	398C	03/22/1972
	US-3,828,227	08/06/1974	Millard, et al.	317	230	04/09/1973
	US-3,859,574	01/07/1975	Brazier, R. L.	317	230	10/19/1973
	US-3,914,666	10/21/1975	Schmickl, H., et al.	317	261	03/28/1974
	US-3,938,228	02/17/1976	Kemkers, Pieter, et al.	29	25.42	04/25/1975
	US-3,993,508	11/23/1976	Erlichman, Irving	29	623.2	06/20/1975
	US-4,047,790	09/13/1977	Carino, J. W.	439	720	01/07/1976
	US-4,086,148	04/25/1978	Badia, M.	204	33	11/19/1976
	US-4,088,108	05/09/1978	Hager, James H.	123	148CC	01/19/1976
	US-4,131,935	12/26/1978	Clement, W. J.	361	433	03/31/1977
	US-4,169,003	09/25/1979	Dangel, Phoenix N., et al.	156	179	11/17/1977
	US-4,232,099	11/04/1980	Sullivan, Charles I.	429	152	02/06/1976
	US-4,425,412	01/10/1984	Dittmann, John F., et al.	429	53	05/26/1982
	US-4,481,083	11/06/1984	Ball, John A., et al.	204	38A	08/31/1983
	US-4,539,999	09/10/1985	Mans,	128	696	07/22/1983
	US-4,553,304	11/19/1985	Fleuret, D.	29	25.42	05/31/1983
	US-4,571,662	02/18/1986	Conquest, A. R., et al.	361	306	06/08/1984
	US-4,604,260	08/05/1986	Shimizu, Shigeaki, et al.	419	2	05/22/1985
	US-4,614,194	09/30/1986	Jones, W. K., et al.	128	419	01/20/1984
	US-4,616,655	10/14/1986	Weinberg, Alvin H., et al.	128	419	01/20/1984
	US-4,659,636	04/21/1987	Suzuki, Yoshie, et al.	429	54	11/22/1984
	US-4,664,116	05/12/1987	Shaya, et al.	128	419	04/18/1984
	US-4,683,516	07/28/1987	Miller, J. R.	361	328	08/08/1986
	US-4,745,039	05/17/1988	Yoshinaka, Minoru	429	54	11/17/1986

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/729,424
Filing Date	December 5, 2003
First Named Inventor	O'Phelan, Michael
Group Art Unit	2831
Examiner Name	Thomas, Eric

Sheet 2 of 6

Attorney Docket No: 279.171US3

	US-4,763,229	08/09/1988	Ohtuka, Tatsuo, et al.	361	433	12/23/1987
	US-4,782,340	11/01/1988	Czubatyj, Wolodymyr, et al.	340	825.83 0	08/22/1986
	US-4,796,638	01/10/1989	Sasaki, M.	128	696	03/10/1988
	US-4,833,719	05/23/1989	Carme, Christian E., et al.	381	72	03/06/1987
	US-4,843,518	06/27/1989	Okumura,	361	330	03/22/1988
	US-4,970,626	11/13/1990	Kakinoki, Yoshiaki , et al.	361	512	07/28/1988
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	US-5,142,439	08/01/1992	Huggett, , et al.	361	321	
	US-5,173,375	12/22/1992	Cretzmeyer, John W., et al.	429	72	12/14/1990
	US-5,175,067	12/29/1992	Taylor, William J., et al.	429	181	11/09/1990
	US-5,195,019	03/01/1993	Hertz,	694	328	
	US-5,279,029	01/18/1994	Burns, C. D.	29	856	05/11/1993
	US-5,306,581	04/26/1994	Taylor, William J., et al.	429	181	04/08/1992
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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

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Substitute for form 1449A/PTO

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Application Number	10/729,424
Filing Date	December 5, 2003
First Named Inventor	O'Phelan, Michael
Group Art Unit	2831
Examiner Name	Thomas, Eric

Sheet 3 of 6

Attorney Docket No: 279.171US3

	US-5,658,319	08/19/1997	Kroll, M. W.	607	7	05/13/1996
	US-5,660,737	08/26/1997	Elias, W. H., et al.	216	6	05/17/1995
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	US-5,754,394	05/19/1998	Evans, D. A., et al.	361	516	11/04/1996
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	US-5,811,206	09/22/1998	Sunderland, Walter C., et al.	429	181	10/31/1997
	US-5,814,082	09/29/1998	Fayram, T. A., et al.	607	5	04/23/1997
	US-5,855,995	01/05/1999	Haq, S. F., et al.	428	210	04/28/1997
	US-5,867,363	02/02/1999	Tsai, K. C., et al.	361	502	03/30/1994
	US-5,882,362	03/16/1999	Muffoletto, Barry C., et al.	29	623.1	04/27/1998
	US-5,908,151	06/01/1999	Elias, W. H.	228	110.1	09/29/1997
	US-5,922,215	07/13/1999	Pless, B. D., et al.	216	6	10/15/1996
	US-5,926,357	07/20/1999	Elias, W. H., et al.	361	302	06/16/1997
	US-5,930,109	07/27/1999	Fishler, M. G.	361	508	11/07/1997
	US-5,963,418	10/05/1999	Greenwood Jr., J. M., et al.	361	508	03/18/1998
	US-5,968,210	10/19/1999	Strange, T. F., et al.	29	25.03	11/12/1997
	US-5,973,906	10/26/1999	Stevenson, Robert A., et al.	361	302	03/17/1998
	US-5,982,609	11/09/1999	Evans, D. A.	361	516	04/01/1998
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	US-6,002,969	12/14/1999	Machek, , et al.	607	122	08/05/1998
	US-6,004,692	12/21/1999	Muffoletto, Barry C., et al.	429	163	04/27/1998
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	US-6,030,480	02/29/2000	Face, Jr., S. A., et al.	156	160	07/21/1998
	US-6,032,075	02/29/2000	Pignato, P. A., et al.	607	5	06/24/1998
	US-6,040,082	03/21/2000	Haas, D. P., et al.	429	163	07/30/1997
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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/729,424
Filing Date	December 5, 2003
First Named Inventor	O'Phelan, Michael
Group Art Unit	2831
Examiner Name	Thomas, Eric

Sheet 4 of 6

Attorney Docket No: 279.171US3

	US-6,052,625	04/18/2000	Marshall, Mark T.	607	122	11/09/1998
	US-6,094,339	07/25/2000	Evans, David A.	361	516	12/04/1998
	US-6,094,788	08/01/2000	Farahmandi, C. J., et al.	25	24.41	01/19/1999
	US-6,099,600	08/08/2000	Yan, J. , et al.	29	25.03	06/24/1998
	US-6,104,961	08/15/2000	Conger, Steven, et al.	607	122	02/18/1999
	US-6,110,233	08/29/2000	O'Phelan, Michael J., et al.	29	25.03	05/11/1998
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	US-6,118,651	09/12/2000	Mehrotra, V. , et al.	361	509	12/24/1997
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	US-6,139,986	10/31/2000	Kurokawa, Teruhisa , et al.	429	61	06/16/1998
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	US-6,212,063	04/03/2001	Johnson, William L., et al.	361	517	06/24/1998
	US-6,225,778	05/01/2001	Hayama, Hideki, et al.	320	112	07/18/2000
	US-6,249,423	06/19/2001	O'Phelan, M.J. , et al.	361	502	04/21/1998
	US-6,249,709	06/19/2001	Conger, Steven, et al.	607	122	02/18/1999
	US-6,256,542	07/03/2001	Marshall, Mark T., et al.	607	126	02/22/2000
	US-6,259,954	07/10/2001	Conger, Steve , et al.	607	122	02/18/1999
	US-6,275,371	08/14/2001	Yoshio, Takasu, et al.	361	502	08/11/1999
	US-6,275,729	08/14/2001	O'Phelan, M. J., et al.	607	5	10/02/1998
	US-6,297,943	10/02/2001	Carson, Dean F.	361	500	03/19/1999
	US-6,299,752	10/09/2001	Strange, T. F., et al.	205	152	03/10/1999
	US-6,321,114	11/20/2001	Nutzman, Thomas M., et al.	607	5	07/22/1999
	US-6,326,587	12/04/2001	Cardineau, Yan, et al.	219	121.68	07/30/1999
	US-6,388,284	05/14/2002	Rhodes, Howard, et al.	257	309	01/03/2001
	US-6,388,866	05/14/2002	Rorvick, Anthony, et al.	361	503	06/30/2000
	US-6,402,793	06/11/2002	Miltich, Thomas, et al.	29	25.03	06/30/2000

EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: left;"><i>Complete if Known</i></td> </tr> <tr> <td style="width: 50%;">Application Number</td> <td>10/729,424</td> </tr> <tr> <td>Filing Date</td> <td>December 5, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>O'Phelan, Michael</td> </tr> <tr> <td>Group Art Unit</td> <td>2831</td> </tr> <tr> <td>Examiner Name</td> <td>Thomas, Eric</td> </tr> </table>	<i>Complete if Known</i>		Application Number	10/729,424	Filing Date	December 5, 2003	First Named Inventor	O'Phelan, Michael	Group Art Unit	2831	Examiner Name	Thomas, Eric
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Application Number	10/729,424
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Group Art Unit	2831
Examiner Name	Thomas, Eric

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Attorney Docket No: 279.171US3

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

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